

Transportation  
Security  
Administration

October 22, 2004

Daphne E. Barbee  
Attorney at Law  
1188 Bishop Street, Suite 1909  
Honolulu, Hawaii 96813

RE: Disciplinary Review Board Appeal in the Matter of  
Raymond E. Ware - HNL  
Appealed Action: Removal.

Dear Ms. Barbee:

This decision is in response to your appeal on behalf of Mr. Raymond E. Ware, contesting the decision of Sidney Hayakawa, Federal Security Director, Screening, to remove him from the Federal service. The Disciplinary Review Board (DRB) reviewed your appeal. This decision is issued in accordance with TSA Policy in TSA Management Directive No. 1100.77-1, Disciplinary Review Board, dated February 4, 2004.

Based upon the DRB's review of the entire record, it determined that Mr. Ware was issued a removal notice, dated March 2, 2004, on the basis of his failure to meet the requirements for re-certification. Based upon the merits of the case, the information you submitted on appeal did not warrant mitigation of the penalty; therefore Mr. Ware's appeal is denied.

I note that Mr. Ware's appeal raised issues of discrimination. These have not been considered in this decision, because they are properly handled through the EEO process.

This DRB determination is based on promoting the efficiency of the TSA. Accordingly, this decision is final and he has no further right to appeal.

Thomas Mulhern  
Program Executive Officer  
Risk Management & Consultation Services

cc: Sidney Hayakawa, FSD  
Raymond E. Ware